

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

Thomas F. Smalley
aka Thomas F. Smalley Sr.
Ruth A. Smalley
Debtor(s)

Bankruptcy Case No.: 14-23083-GLT
Related to Docket No. 107
Chapter: 13
Docket No.: 108 – 107
Concil. Conf.: October 4, 2018 at 09:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **September 4, 2018**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit* or *Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **September 18, 2018**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **October 4, 2018 at 09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: July 18, 2018

cm: All Creditors and Parties In Interest

Gregory L. Tadonno
Gregory L. Tadonno, Judge
United States Bankruptcy Court

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

In re:
Thomas F. Smalley
Ruth A. Smalley
Debtors

Case No. 14-23083-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: ctak
Form ID: 213

Page 1 of 2
Total Noticed: 43

Date Rcvd: Jul 18, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 20, 2018.

db/jdb +Thomas F. Smalley, Ruth A. Smalley, 214 Bowood Road, Smithfield, PA 15478-1020
 13898128 +Ace Rentals, 555 West Main Street, Uniontown, PA 15401-2647
 13898131 +Apotheker & Associates, 520 Fellowship Road--C306, Mount Laurel, NJ 08054-3410
 13898133 Atlantic Broadband, 120 Southmont Boulevard, Johnstown, PA 15905-4291
 13898134 ++COLLECTION SERVICE CENTER INC, 363 VANADIUM ROAD, STE 109, PITTSBURGH PA 15243-1477
 (address filed with court: Collection Service Center, Inc., 250 Mount Lebanon Boulevard,
 P.O. Box 14931, Pittsburgh, PA 15234-0931)
 13898147 +Carol L. Matthews, 123 Lehman Road, Uniontown, PA 15401-6375
 13898136 Credit Protection Association, P.O. Box 802068, Dallas, TX 75380-2068
 13968196 +Deutsche Bank National Trust Company, as Trustee,, c/o Select Portfolio, Inc.,
 3815 S. West Temple, Salt Lake City, UT 84115-4412
 13968230 +Deutsche Bank National Trust Company, c/o Select P, 3815 S. West Temple,
 Salt Lake City, UT 84115-4412
 13898139 +FNB Consumer Discount Company, 45 West Main Street, P.O. Box 2045,
 Uniontown, PA 15401-1645
 13898137 +Fidelity Properties, Inc., P.O. Box 2055, Alliance, OH 44601-0055
 13898138 First Premier Bank, P.O. Box 5524, Sioux Falls, SD 57117-5524
 13898140 Foundation Radiology Group, PC, P.O. Box 60, Pittsburgh, PA 15230-0060
 13898141 HSBC Card Services, P.O. Box 80084, Salinas, CA 93912-0084
 13898144 +LVNV Funding, c/o Apotheker & Associates, 520 Fellowship Road--C306,
 Mount Laurel, NJ 08054-3410
 13898149 NCO Financial, P.O. Box 13570, Philadelphia, PA 19101
 13898150 #Penn Credit Corporation, 916 S 14th Place, P.O. Box 988, Harrisburg, PA 17108-0988
 13898154 +Southwestern Gastrointestinal Specialist, 300 Spring Creek Lane--Upper Level,
 Uniontown, PA 15401-9069
 13898155 Tribute Mastercard, P.O. Box 105555, Atlanta, GA 30348-5555
 13898156 Uniontown Hospital, 500 West Berkeley Street, Uniontown, PA 15401-5596
 13898158 +United Collection Bureau, Inc., 5620 Southwyck Boulevard--Suite 206, Toledo, OH 43614-1501
 13898159 +University Health Associates, P.O. Box 776, Morgantown, WV 26507-0776

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

13898129 +E-mail/Text: EBNProcessing@afni.com Jul 19 2018 02:23:36 AFNI, Attn: Bankruptcy,
 P.O. Box 3667, Bloomington, IL 61702-3667
 13898132 E-mail/Text: bnc-applied@quantum3group.com Jul 19 2018 02:23:47 Applied Bank,
 P.O. Box 17125, Wilmington, DE 19850-7125
 13909696 +E-mail/Text: svlainich@communitybank.tv Jul 19 2018 02:23:35 Community Bank,
 Attn: Collection Department, 90 West Chestnut Street--Suite 100, Washington, PA 15301-4524
 13898135 +E-mail/Text: ccusa@ccuhomel.com Jul 19 2018 02:22:06 Credit Collections, USA,
 16 Distributor Drive--Suite 1, Morgantown, WV 26501-0121
 14286143 E-mail/Text: jennifer.chacon@spservicing.com Jul 19 2018 02:24:21
 Deutsche Bank National Trust Company, c/o Select Portfolio Servicing, Inc., P.O. Box 65250,
 Salt Lake City, UT 84165-0250
 13898146 +E-mail/PDF: resurgentbknotifications@resurgent.com Jul 19 2018 02:30:44 LVNV Funding,
 P.O. Box 740281, Houston, TX 77274-0281
 13898143 +E-mail/PDF: resurgentbknotifications@resurgent.com Jul 19 2018 02:31:29 LVNV Funding,
 15 South Main Street--Suite 500, Greenville, SC 29601-2743
 13966054 E-mail/PDF: resurgentbknotifications@resurgent.com Jul 19 2018 02:30:44
 LVNV Funding, LLC its successors and assigns as, assignee of MHC Receivables, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 13966020 E-mail/PDF: resurgentbknotifications@resurgent.com Jul 19 2018 02:30:47
 LVNV Funding, LLC its successors and assigns as, assignee of GE Money Bank,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 13898142 +E-mail/PDF: gcsedi@recoverycorp.com Jul 19 2018 02:31:10 Lowe's/GE Capital Retail Bank,
 Attn: Bankruptcy Dept., P.O. Box 103104, Roswell, GA 30076-9104
 13898148 +E-mail/Text: bankruptcypdt@mcmcg.com Jul 19 2018 02:23:18 Midland Credit Management,
 8875 Aero Drive--Suite 200, San Diego, CA 92123-2255
 13909698 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Jul 19 2018 02:23:02 PA Department of Revenue,
 Bankruptcy Division, Dept. 280946, Harrisburg, PA 17128-0946
 13903581 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Jul 19 2018 02:23:02
 Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946,
 Harrisburg, PA 17128-0946
 13902305 E-mail/Text: bnc-quantum@quantum3group.com Jul 19 2018 02:22:40
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 13898151 E-mail/Text: bnc-quantum@quantum3group.com Jul 19 2018 02:22:40 Quantum3 Group, LLC,
 P.O. Box 788, Kirkland, WA 98083-0788
 13898152 E-mail/PDF: resurgentbknotifications@resurgent.com Jul 19 2018 02:30:42
 Resurgent Capital Services, P.O. Box 10587, Greenville, SC 29603-0587
 13898153 +E-mail/Text: jennifer.chacon@spservicing.com Jul 19 2018 02:24:21
 Select Portfolio Servicing, Inc., P.O. Box 65250, Salt Lake City, UT 84165-0250
 13898160 +E-mail/Text: BankruptcyNotice@upmc.edu Jul 19 2018 02:23:59 UPMC Physician Services,
 1650 Metropolitan Street, Third Floor--Customer Service, Pittsburgh, PA 15233-2213
 13898161 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Jul 19 2018 02:22:05
 Verizon, Attn: Bankruptcy, 500 Technology Drive, Weldon Spring, MO 63304-2225

District/off: 0315-2

User: ctak
Form ID: 213

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Total Noticed: 43

Date Rcvd: Jul 18, 2018

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)

13898162 +E-mail/Text: bankruptcy@firstenergycorp.com Jul 19 2018 02:23:27 West Penn Power,
1310 Fairmont Avenue, Fairmont, WV 26554-3526
13898163 E-mail/Text: hbbankruptcynotices@wvumedicine.org Jul 19 2018 02:22:07
West Virginia University Hospitals, Patient Accounting Office, P.O. Box 1127,
Morgantown, WV 26507-1127

TOTAL: 21

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Deutsche Bank National Trust Company, as Trustee,
cr SELECT PORTFOLIO SERVICING
13909697* HSBC Card Services, P.O. Box 80084, Salinas, CA 93912-0084
13898130 ##+Ameriloan, 3531 P. Street Northwest, P.O. Box 111, Miami, OK 74355-0111
13898145 ##+LVNV Funding, c/o Edwin A. Abrahamsen & Associates, 120 North Keyser Avenue,
Scranton, PA 18504-9701
13898157 ##+United Cash Loans, 3531 P Street NW, P.O. Box 111, Miami, OK 74355-0111

TOTALS: 2, * 1, ## 3

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 20, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on July 18, 2018 at the address(es) listed below:

Daniel R. White on behalf of Debtor Thomas F. Smalley dwhite@zeblaw.com,
gianna@zeblaw.com;dwhite.zmw@gmail.com;r63228@notify.bestcase.com
Daniel R. White on behalf of Joint Debtor Ruth A. Smalley dwhite@zeblaw.com,
gianna@zeblaw.com;dwhite.zmw@gmail.com;r63228@notify.bestcase.com
James Warmbrodt on behalf of Creditor Deutsche Bank National Trust Company, as Trustee, in
trust for the registered holders of Morgan Stanley Home Equity Loan Trust 2007-1, Mortgage
Pass-Through Certificates, Series 2007-1 bkgroup@kmlawgroup.com
Matthew Christian Waldt on behalf of Creditor Deutsche Bank National Trust Company, as
Trustee, in trust for the registered holders of Morgan Stanley Home Equity Loan Trust 2007-1,
Mortgage Pass-Through Certificates, Series 2007-1 mwaldt@milsteadlaw.com, bkecf@milsteadlaw.com
Matthew Christian Waldt on behalf of Creditor SELECT PORTFOLIO SERVICING
mwaldt@milsteadlaw.com, bkecf@milsteadlaw.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmevf@chapter13trusteevdpa.com

TOTAL: 7